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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,270	12/05/2003	Albert A. Vierheilg	113222-132	1614
75160	7590	05/27/2008		
PATTERSON & SHERIDAN, LLP / INTERCAT EQUIPMENT				
595 SHREWSBURY AVENUE				
SUITE 100				
SHREWSBURY, NJ 07702				
EXAMINER				
DOUGLAS, JOHN CHRISTOPHER				
ART UNIT		PAPER NUMBER		
1797				
NOTIFICATION DATE		DELIVERY MODE		
05/27/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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**Supplemental  
Notice of Allowability**

**Application No.**

10/729,270

**Examiner**

JOHN C. DOUGLAS

**Applicant(s)**

VIERHEILIG ET AL.

**Art Unit**

1797

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the printer rush forwarded on 4/30/2008.
2. ☒ The allowed claim(s) is/are 57-66,77-92,104-120 and 122-125.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

Claim 100 was inadvertently omitted before allowance. The claims filed on 12/11/2007 contain claim 100, while the later claim set filed on 1/31/2008 does not include claim 100. Claim 100 was not cancelled. The claims are amended to correct for the inadvertent omission. The amendment does NOT broaden the claims.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tanzina Chowdhury on 5/7/2008.

Art Unit: 1797

The application has been amended as follows:

Please cancel claim 100 and replace with new claim 122 as follows.

122. A method for reducing the concentration of sulfur in gasoline produced in an FCC unit comprising:

(a) adding to the FCC unit during an FCC process cycle

(i) an effective amount of shaped bodies comprising a mixed metal oxide

solid solution comprising magnesium and aluminum in a ratio of about 1.1 to about 10:1 and having an X-ray diffraction pattern displaying at least a reflection at a two theta peak position at about 43 degrees and about 62 degrees,

(ii) a support comprising a spinel, magnesia, magnesium acetate, magnesium nitrate, magnesium chloride, magnesium hydroxide, magnesium carbonate, magnesium formate, magnesium aluminate, hydrous magnesium silicate, magnesium silicate, magnesium calcium silicate, aluminum silicate, calcium silicate, alumina, aluminum titanate, zinc titanate, aluminum zirconate, calcium oxide, calcium aluminate, aluminum nitrohydrate, an aluminum hydroxide compounds, an aluminum-containing metal oxide compound other than alumina or an aluminum hydroxide compound, aluminum chlorohydrate, silica, silicon-containing compound other than silica, silica/alumina, titania, zirconia, clay, clay phosphate material, zeolite, or a mixture of two or more thereof; and

(iii) at least one metallic oxidant selected from antimony, bismuth, cadmium, cerium, chromium, cobalt, copper, dysprosium, erbium, europium, gadolinium, germanium, gold, holmium, iridium, iron, lanthanum, lead, manganese, molybdenum, neodymium, nickel, niobium, osmium, palladium, platinum, praseodymium, promethium, rhenium, rhodium, ruthenium, samarium, scandium, selenium, silicon, silver, sulfur, tantalum, tellurium, terbium, tin, titanium, tungsten, thulium, vanadium, ytterbium, yttrium, zinc, or a mixture of two or more thereof; and

(b) reducing the sulfur content of gasoline undergoing cracking during the FCC process cycle.

Amend claim 101 to be dependent on new claim 122 as follows

In Claim 101, line 1, please replace "claim 100" with "claim 122"

J. C. D Examiner, Art Unit 1797

/Glenn A Caldarola/

Acting SPE of Art Unit 1797

